

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

| | | | | | |
|----------------------|------------------|-------------------------------------|-----------------|--------------------------|-----------------------|
| Meeting Date: | January 23, 2024 | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Regular |
| | | <input type="checkbox"/> | Workshop | <input type="checkbox"/> | Public Hearing |

| | |
|-----------------------|----------------------------|
| Department: | Engineering & Public Works |
| Submitted By: | Engineering & Public Works |
| Submitted For: | Traffic Division |

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) **adopt** a Resolution approving the 2022 Safe Streets and Roads for All (SS4A) Grant Program agreement (Agreement) with the United States Department of Transportation (USDOT) Federal Highway Administration (FHWA) for funding the development of the Palm Beach County (County) Safety Action Plan (Plan) and committing to fund the local share of project delivery;

- B) **approve** the Agreement with the USDOT FHWA in which the FHWA will reimburse the County in the amount of \$639,200 to develop and complete the Plan within 24 months of the Agreement’s effective date; and

- C) **adopt** a Resolution delegating signatory authority to the County Administrator or Designee on additional forms, certifications, contracts/agreements, amendments and any other necessary documents related to the Agreement, which documents do not substantially change the scope of work, terms, or conditions of the Agreement.

SUMMARY: Approval of this Agreement and delegation of authority will allow the County to receive a federally funded grant in the amount of \$639,200 for the Plan to enhance the safety of the transportation network. The Plan will identify strategies and improvement projects in the County that would be eligible for additional SS4A grant funds in the future for the Plan’s implementation. The County estimated \$799,200 to develop and complete the Plan and agrees to finance the non-Federal share of \$160,000. This amount was anticipated and is included in the current budget. The FHWA will reimburse the County \$639,200 for completing the Plan. The Agreement, delegation of authority, and budget amendment were originally approved by the Board of County Commissioners (BCC) on October 17, 2023 (R2023-1524 and R2023-1523). However, the project funding allocation was identified to be itemized incorrectly, and the USDOT FHWA requested the Agreement to be corrected and re-signed by the County prior to USDOT FHWA executing the Agreement, which will supersede and replace the previously approved Agreement. Countywide (YBH)

Background and Justification: The SS4A Grant Program provides federal financial assistance to support local initiatives to prevent death and serious injury on roads and streets. The Engineering & Public Works Department recommends BCC approval.

Attachments:

1. Agreement Resolution (3)
2. Agreement with Attachments A, B, C, D, E, F (3)
3. Original agreement (with the changes strikethrough)
4. Delegation Resolution (3)

| | | |
|------------------------|--------------------------------|-------------------|
| Recommended By: | <u><i>David J. Reed</i></u> | <u>12/20/2023</u> |
| | YBH/TEL County Engineer | Date |
| Approved By: | <u><i>[Signature]</i></u> | <u>1/2/24</u> |
| | Assistant County Administrator | Date |

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2024 | 2025 | 2026 | 2027 | 2028 |
|---|-------------|------|------|------|------|
| Capital Expenditures | \$799,200 | -0- | -0- | -0- | -0- |
| Operating Costs | -0- | -0- | -0- | -0- | -0- |
| External Revenues | (\$639,200) | -0- | -0- | -0- | -0- |
| Program Income (County) | -0- | -0- | -0- | -0- | -0- |
| In-Kind Match (County) | -0- | -0- | -0- | -0- | -0- |
| NET FISCAL IMPACT | \$ 160,000 | -0- | -0- | -0- | -0- |
| # ADDITIONAL FTE POSITIONS (Cumulative) | -0- | -0- | -0- | -0- | -0- |

Is Item Included in Current Budget? Yes No
 Is this item using Federal Funds? Yes No
 Is this item using State Funds? Yes No

Budget Account No:

Fund 3500 Dept 361 Unit 2004-022 Object 3140/3104

Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund
 Traffic Signals - Countywide
 Palm Beach County Safety Action Plan

| | |
|----------------------------|-----------------|
| Estimated Project Cost | \$ 799,200.00 |
| USDOT SS4A Grant Agreement | (\$ 639,200.00) |
| Fiscal Impact | \$ 160,000.00 |

****Receiving federal grant funds for project cost. This grant has an estimated match of \$ 160,000.00 (20%). The Catalog of Federal Domestic Assistance (CFDA) number for this grant 20.939 SS4A.

C. Departmental Fiscal Review: Jerry Ramalsingh

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

| | |
|--|--|
| <u>ASDUAL 12/20/23</u> OFMB MD 12/18 V.S. 12-18 | <u>Jerry M. Anni 12/22/23</u> Contract Dev. and Control |
|--|--|

B. Approved as to Form and Legal Sufficiency:

[Signature] 1/2/24
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

RESOLUTION NO. R 2024-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DELEGATING SIGNATORY AUTHORITY TO THE COUNTY ADMINISTRATOR OR DESIGNEE ON ADDITIONAL FORMS CERTIFICATIONS, CONTRACTS/AGREEMENTS, AMENDMENTS AND ANY OTHER NECESSARY DOCUMENTS RELATED TO THE PALM BEACH COUNTY SAFETY ACTION PLAN SAFE STREETS AND ROADS FOR ALL GRANT (GRANT), WHICH DOCUMENTS DO NOT SUBSTANTIALLY CHANGE THE SCOPE OF WORK, TERMS, OR CONDITIONS OF THE GRANT OR THE AGREEMENT.

WHEREAS, the Safe Street and Roads for All Discretionary Grant Program (SS4A) provides Federal financial assistance to support local initiatives to prevent death and serious injury on roads and streets; and

WHEREAS, on September 15th, 2022, Palm Beach County (COUNTY) submitted an application to receive funding from the SS4A to develop the Palm Beach County Safety Action Plan (PLAN); and

WHEREAS, the PLAN will identify projects in COUNTY that enhance the safety of the transportation network and would be eligible for additional SS4A funds in the future; and

WHEREAS, the COUNTY's estimate to develop and complete the PLAN is \$799,200; and

WHEREAS, the United States Department of Transportation (USDOT) requests that the COUNTY enter into the Grant Agreement Under the Fiscal Year 2022 Safe Streets and Roads for all Grant Program (GRANT AGREEMENT), outlining the responsibilities of USDOT and the COUNTY with respect to the PLAN; and

WHEREAS, through this GRANT AGREEMENT, the USDOT will grant funding for the PLAN; and

WHEREAS, this GRANT AGREEMENT may require future forms, certifications, contracts/agreements, amendments, and any other documents necessary for the implementation of the GRANT, which documents do not substantially change the scope of work, terms, or conditions of the GRANT or the GRANT AGREEMENT to complete the PLAN and receive the GRANT funds; and

WHEREAS, the Board of County Commissioners (BCC) has determined that delegation of signatory authority to the County Administrator, or designee, on all future forms, certifications, contracts/agreements, amendments and any other documents necessary for the implementation of the GRANT, which documents do not substantially change the scope of work, terms, or conditions of the GRANT or the GRANT AGREEMENT is in the best interest of the citizens and residents of the COUNTY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The County Administrator or designee is hereby authorized to sign all future forms, certifications, contracts/agreements, amendments, and any other documents necessary for the implementation of the GRANT, which documents that do not substantially change the scope of work, terms or conditions of the GRANT or the GRANT AGREEMENT.

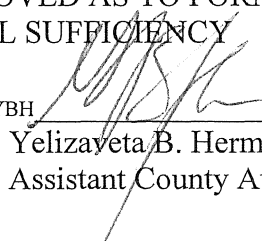
2. The foregoing recitals are true, accurate and correct and are incorporated herein.
3. This Resolution shall take effect upon its adoption.

The foregoing Resolution was offered by Commissioner _____ who moved for its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

| | |
|--|---|
| Commissioner Maria Sachs, Mayor | - |
| Commissioner Maria G. Marino, Vice Mayor | - |
| Commissioner Gregg K. Weiss | - |
| Commissioner Michael A. Barnett | - |
| Commissioner Marci Woodward | - |
| Commissioner Sara Baxter | - |
| Commissioner Mack Bernard | - |

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2024.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


BY: YBH 
 Yelizaveta B. Herman
 Assistant County Attorney

PALM BEACH COUNTY, FLORIDA
 BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT AND COMPTROLLER

BY: _____
 Deputy Clerk

APPROVED AS TO TERMS AND CONDITIONS

BY: 
 Motasem Al-Turk, Ph.D., P.E.
 Traffic Division Director

- | | | | | | | | | | | | | |
|---|---|----------------|-----------|------------------|-----------|----------------------|-----|--------------|-----|---------------|------------------|---|
| <p>1. Award No. 693JJ32440062</p> <p>4. Award To County of Palm Beach</p> <p>Unique Entity Id.: XL2DNFMPCR44 TIN No.: 59-600785</p> <p>6. Period of Performance Effective date-24 months</p> <p>8. Type of Agreement Grant</p> <p>10. Procurement Request No. HSSP230279PR</p> <p>12. Submit Payment Requests To See article 20.</p> <p>14. Accounting and Appropriations Data 15X0173E50.0000.055SR10500.5592000000.25305.610066</p> <p>15. Description of Project Palm Beach County Safety Action Plan</p> <p>RECIPIENT</p> <p>16. Signature of Person Authorized to Sign</p> | <p>2. Effective Date See No. 17 Below</p> <p>5. Sponsoring Office U.S. Department of Transportation Federal Highway Administration Office of Safety 1200 New Jersey Avenue, SE HSSA-1, Mail Drop E71-117 Washington, DC 20590</p> <p>7. Total Amount</p> <table border="0"> <tr><td>Federal Share:</td><td style="text-align: right;">\$639,200</td></tr> <tr><td>Recipient Share:</td><td style="text-align: right;">\$160,000</td></tr> <tr><td>Other Federal Funds:</td><td style="text-align: right;">\$0</td></tr> <tr><td>Other Funds:</td><td style="text-align: right;">\$0</td></tr> <tr><td>Total:</td><td style="text-align: right;">\$799,200</td></tr> </table> <p>9. Authority Section 24112 of the Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021; also referred to as the "Bipartisan Infrastructure Law" or "BIL")</p> <p>11. Federal Funds Obligated \$639,200</p> <p>13. Payment Office See article 20.</p> <p>FEDERAL HIGHWAY ADMINISTRATION</p> <p>17. Signature of Agreement Officer</p> | Federal Share: | \$639,200 | Recipient Share: | \$160,000 | Other Federal Funds: | \$0 | Other Funds: | \$0 | Total: | \$799,200 | <p>3. Assistance Listings No. 20.939</p> |
| Federal Share: | \$639,200 | | | | | | | | | | | |
| Recipient Share: | \$160,000 | | | | | | | | | | | |
| Other Federal Funds: | \$0 | | | | | | | | | | | |
| Other Funds: | \$0 | | | | | | | | | | | |
| Total: | \$799,200 | | | | | | | | | | | |

See Page 2.

| | |
|--------------------------|------|
| | |
| Signature | Date |
| Name: Amalia Rodezno | |
| Title: Agreement Officer | |

RECIPIENT:
PALM BEACH COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF
FLORIDA BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS

BY:

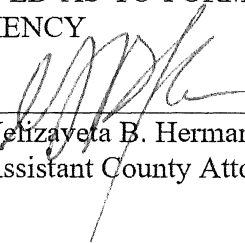
Signature

Name

Mayor
Title

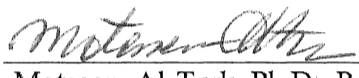
Date

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

BY: 

Yelizaveta B. Herman
Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

BY: 

Mutasem Al-Turk, Ph.D., P.E.
Traffic Division Director

ATTEST:

JOSEPH ABRUZZO, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

BY: _____
Deputy Clerk

(SEAL)

U.S. DEPARTMENT OF TRANSPORTATION

**GRANT AGREEMENT UNDER THE
FISCAL YEAR 2022 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM**

This agreement is between the United States Department of Transportation (the “USDOT”) Federal Highway Administration (the “FHWA”) and County of Palm Beach (the “Recipient”).

This agreement reflects the selection of the Recipient to receive a Safe Streets and Roads for All (“SS4A”) Grant for the Palm Beach County Safety Action Plan.

The parties therefore agree to the following:

**ARTICLE 1
GENERAL TERMS AND CONDITIONS**

1.1 General Terms and Conditions.

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2022 Safe Streets and Roads for All (“SS4A”) Grant Program: FHWA Projects,” dated March 28, 2023, which is available at <https://www.transportation.gov/grants/ss4a/grant-agreements>. Articles 7–30 are in the General Terms and Conditions. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions. Recipient also states that it is required to comply with all applicable Federal laws and regulations including, but not limited to, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200); National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.); and Build America, Buy America Act (BIL, div. G §§ 70901-27).
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, termination of the SS4A Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the FHWA the SS4A Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

**ARTICLE 2
APPLICATION, PROJECT, AND AWARD**

2.1 Application.

Application Title: Palm Beach County Safety Action Plan

Application Date: 9/15/2022

2.2 Award Amount.

SS4A Grant Amount: \$639,200

2.3 Award Dates.

Period of Performance End Date: See Section 6 on page 1.

2.4 Budget Period

Budget Period End Date: See Section 6 on page 1.

2.5 Action Plan Grant or Implementation Grant Designation.

Designation: Action Plan

2.6 Federal Award Identification Number. The Federal Award Identification Number is listed on page 1, line 1.

**ARTICLE 3
SUMMARY PROJECT INFORMATION**

3.1 Summary of Project's Statement of Work.

The award will be used by the Recipient to develop a comprehensive safety Action Plan.

3.2 Project's Estimated Schedule.

ACTION PLAN SCHEDULE

| Milestone | Schedule Date |
|--|----------------------|
| Planned Draft Action Plan Completion Date: | 02/28/2025 |
| Planned Action Plan Completion Date: | 03/28/2025 |
| Planned Action Plan Adoption Date: | 06/20/2025 |
| Planned SS4A Final Report Date: | 09/30/2025 |

3.3 Project's Estimated Costs.

(a) Eligible Project Costs

| Eligible Project Costs | |
|-------------------------------------|------------------|
| SS4A Grant Amount: | \$639,200 |
| Other Federal Funds: | \$0 |
| State Funds: | \$0 |
| Local Funds: | \$160,000 |
| In-Kind Match: | \$0 |
| Other Funds: | \$0 |
| Total Eligible Project Cost: | \$799,200 |

(b) Supplemental Estimated Budget

| Cost Element | Federal Share | Non-Federal Share | Total Budget Amount |
|------------------------|----------------------|--------------------------|----------------------------|
| Direct Labor | \$0 | \$130,000 | \$130,000 |
| Fringe Benefits | \$0 | \$24,000 | \$24,000 |
| Travel | \$0 | \$6,000 | \$6,000 |
| Equipment | \$0 | \$0 | \$0 |
| Supplies | \$0 | \$0 | \$0 |
| Contractual/Consultant | \$639,200 | \$0 | \$639,200 |
| Other | \$0 | \$0 | \$0 |
| Indirect Costs | \$0 | \$0 | \$0 |
| Total Budget | \$639,200 | \$160,000 | \$799,200 |

ARTICLE 4

RECIPIENT INFORMATION

4.1 Recipient's Unique Entity Identifier.

XL2DNFMPCR44

4.2 Recipient Contact(s).

Fadi Emil Nassar, P.E.
Manager, Traffic Engineering Operations
Palm Beach County Traffic Division
2300 North Jog Road, WPB, FL 33411
Tel: 561-684-4022
FNASSAR@PBCGOV.ORG

4.3 Recipient Key Personnel.

| Name | Title or Position |
|------------------------|---|
| Fadi Emil Nassar, P.E. | Manager, Traffic Engineering Operations |
| Melissa Ackert, P.E. | Assistant Director, Traffic Division |

4.4 USDOT Project Contact(s).

Darren Thacker
Safe Streets and Roads for All Program Manager
Federal Highway Administration
Office of Safety
HSSA-1, Mail Stop: E71-117
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(202) 366-6409
darren.thacker@dot.gov

and

Ashley Cucchiarelli
Agreement Officer (AO)
Federal Highway Administration
Office of Acquisition and Grants Management
HCFA-33, Mail Stop E62-310

1200 New Jersey Avenue, S.E.
Washington, DC 20590
(720) 963-3589
ashley.cucchiarelli@dot.gov

and

Ashley Cucchiarelli
Agreement Specialist (AS)
Federal Highway Administration
Office of Acquisition and Grants Management
HCFA-33, Mail Stop E62-204
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(720) 963-3589
ashley.cucchiarelli@dot.gov

and

Division Administrator
Federal Highway Administration
Florida Division Office
3500 Financial Plaza
Suite 400
Tallahassee, FL 32312
florida.fhwa@dot.gov

and

Lina Maldonado
Florida Division Office Point of Contact
District Transportation Engineer
400 W Washington St 4200 Orlando, FL 32801
407-867-6401
Lina.maldonado@dot.gov

ARTICLE 5 USDOT ADMINISTRATIVE INFORMATION

5.1 Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Office of Acquisition
and Grants Management

SUBAWARDS AND CONTRACTS APPROVAL

Note: See 2 CFR § 200.331, Subrecipient and contractor determinations, for definitions of subrecipient (who is awarded a subaward) versus contractor (who is awarded a contract).

Note: Recipients with a procurement system deemed approved and accepted by the Government or by the AO are exempt from the requirements of this clause. See 2 CFR 200.317 through 200.327.

Note: This clause is only applicable to Action Plan Grants.

Unless described in the application and funded in the approved award, the Recipient must obtain prior written approval from the AO for the subaward, transfer, or contracting out of any work under this award above the Simplified Acquisition Threshold. This provision does not apply to the acquisition of supplies, material, equipment, or general support services. Approval of each subaward or contract is contingent upon the Recipient's submittal of a written fair and reasonable price determination, and approval by the AO for each proposed contractor/sub-recipient. Consent to enter into subawards or contracts will be issued through written notification from the AO or a formal amendment to the Agreement.

The following subawards and contracts are currently approved under the Agreement by the AO. This list does not include supplies, material, equipment, or general support services which are exempt from the pre-approval requirements of this clause.

(Fill in at award or by amendment)

5.2 Reimbursement Requests

- (a) The Recipient may request reimbursement of costs incurred in the performance of this agreement if those costs do not exceed the funds available under section 2.2 and are allowable under the applicable cost provisions of 2 C.F.R. Part 200, Subpart E. The Recipient shall not request reimbursement more frequently than monthly.
- (b) The Recipient shall use the DELPHI eInvoicing System to submit requests for reimbursement to the payment office. When requesting reimbursement of costs incurred or credit for cost share incurred, the Recipient shall electronically submit supporting cost detail with the SF 271 (Outlay Report and Request for Reimbursement for Construction Programs) to clearly document all costs incurred.
- (c) The Recipient's supporting cost detail shall include a detailed breakout of all costs incurred, including direct labor, indirect costs, other direct costs, travel, etc., and the Recipient shall identify the Federal share and the Recipient's share of costs. If the Recipient does not provide sufficient detail in a request for reimbursement, the AO may withhold processing that request until the Recipient provides sufficient detail.
- (d) The USDOT shall not reimburse costs unless the Agreement Officer's Representative (the "AOR") reviews and approves the costs to ensure that progress on this agreement is sufficient to substantiate payment.

- (e) The USDOT may waive the requirement that the Recipient use the DELPHI eInvoicing System. The Recipient may obtain waiver request forms on the DELPHI eInvoicing website (<http://www.dot.gov/cfo/delphi-einvoicing-system.html>) or by contacting the AO. A Recipient who seeks a waiver shall explain why they are unable to use or access the Internet to register and enter payment requests and send a waiver request to

Director of the Office of Financial Management
US Department of Transportation,
Office of Financial Management B-30, Room W93-431
1200 New Jersey Avenue SE
Washington DC 20590-0001

or

DOTElectronicInvoicing@dot.gov.

If the USDOT grants the Recipient a waiver, the Recipient shall submit SF 271s directly to:

DOT/FAA
P.O. Box 268865
Oklahoma City, OK 73125-8865
Attn: Agreement Specialist

- (f) The requirements set forth in these terms and conditions supersede previous financial invoicing requirements for Recipients.

ARTICLE 6 SPECIAL GRANT TERMS

- 6.1** SS4A funds must be expended within five years after the grant agreement is executed and DOT obligates the funds, which is the budget period end date in section 10.3 of the Terms and Conditions and section 2.4.
- 6.2** The Recipient acknowledges that the Action Plan will be made publicly available, and the Recipient agrees that it will publish the final Action Plan on a publicly available website.
- 6.3** The Recipient demonstrates compliance with civil rights obligations and nondiscrimination laws, including Titles VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, and accompanying regulations. Recipients of Federal transportation funding will also be required to comply fully with regulations and guidance for the ADA, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other civil rights requirements.

6.4 There are no other special grant requirements for this award.

**ATTACHMENT A
PERFORMANCE MEASUREMENT INFORMATION**

Study Area: Palm Beach County, Florida

Baseline Measurement Date: 1/1/2024

Baseline Report Date: 3/1/2024

Table 1: Performance Measure Table

| Measure | Category and Description | Measurement Frequency |
|-------------------------------------|---|------------------------------|
| Equity | Percent of Funds to Underserved Communities: Funding amount (of total project amount) benefitting underserved communities, as defined by USDOT | End of period of performance |
| Costs | Project Costs: Quantification of the cost of each eligible project carried out using the grant | End of period of performance |
| Lessons Learned and Recommendations | Lessons Learned and Recommendations: Description of lessons learned and any recommendations relating to future projects of strategies to prevent death and serious injury on roads and streets. | End of period of performance |

**ATTACHMENT B
CHANGES FROM APPLICATION**

INSTRUCTIONS FOR COMPLETING ATTACHMENT B: Describe all material differences between the scope, schedule, and budget described in the application and the scope, schedule, and budget described in Article 3. The purpose of this attachment B is to document the differences clearly and accurately in scope, schedule, and budget to establish the parties' knowledge and acceptance of those differences. See section 10.1.

Scope: N/A

Schedule: N/A

Budget: N/A

The table below provides a summary comparison of the project budget.

| Fund Source | Application | | Section 3.3 | |
|---|--------------------|----------|--------------------|----------|
| | \$ | % | \$ | % |
| Previously Incurred Costs (Non-Eligible Project Costs) | | | | |
| Federal Funds | | | | |
| Non-Federal Funds | | | | |
| Total Previously Incurred Costs | | | | |
| Future Eligible Project Costs | | | | |
| SS4AFunds | | | | |
| Other Federal Funds | | | | |
| Non-Federal Funds | | | | |
| Total Future Eligible Project Costs | | | | |
| Total Project Costs | | | | |

**ATTACHMENT C
CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS**

1. Consideration of Climate Change and Environmental Justice Impacts.

The Recipient states that rows marked with “X” in the following table are accurate:

| | |
|---|---|
| X | The Project directly supports a Local/Regional/State Climate Action Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i> |
| | The Project directly supports a Local/Regional/State Equitable Development Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i> |
| | The Project directly supports a Local/Regional/State Energy Baseline Study that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i> |
| | The Recipient or a project partner used environmental justice tools, such as the EJSCREEN, to minimize adverse impacts of the Project on environmental justice communities. <i>(Identify the tool(s) in the supporting narrative below.)</i> |
| X | The Project supports a modal shift in freight or passenger movement to reduce emissions or reduce induced travel demand. <i>(Describe that shift in the supporting narrative below.)</i> |
| | The Project utilizes demand management strategies to reduce congestion, induced travel demand, and greenhouse gas emissions. <i>(Describe those strategies in the supporting narrative below.)</i> |
| | The Project incorporates electrification infrastructure, zero-emission vehicle infrastructure, or both. <i>(Describe the incorporated infrastructure in the supporting narrative below.)</i> |
| | The Project supports the installation of electric vehicle charging stations. <i>(Describe that support in the supporting narrative below.)</i> |
| | The Project promotes energy efficiency. <i>(Describe how in the supporting narrative below.)</i> |
| | The Project serves the renewable energy supply chain. <i>(Describe how in the supporting narrative below.)</i> |
| | The Project improves disaster preparedness and resiliency <i>(Describe how in the supporting narrative below.)</i> |
| | The Project avoids adverse environmental impacts to air or water quality, wetlands, and endangered species, such as through reduction in Clean Air Act criteria pollutants and greenhouse gases, improved stormwater management, or improved habitat connectivity. <i>(Describe how in the supporting narrative below.)</i> |
| | The Project repairs existing dilapidated or idle infrastructure that is currently causing environmental harm. <i>(Describe that infrastructure in the supporting narrative below.)</i> |
| | The Project supports or incorporates the construction of energy- and location-efficient buildings. <i>(Describe how in the supporting narrative below.)</i> |

| | |
|--|--|
| | The Project includes recycling of materials, use of materials known to reduce or reverse carbon emissions, or both. <i>(Describe the materials in the supporting narrative below.)</i> |
| | The Recipient has taken other actions to consider climate change and environmental justice impacts of the Project, as described in the supporting narrative below. |
| | The Recipient has not yet taken actions to consider climate change and environmental justice impacts of the Project but, before beginning construction of the Project, will take relevant actions described in the supporting narrative below. |
| | The Recipient has not taken actions to consider climate change and environmental justice impacts of the Project and will not take those actions under this award. |

2. Supporting Narrative.

This grant is to develop a Safety Action Plan to reduce injuries and fatalities with a focus on underserved areas and equity in transportation improvements. The Safety Action Plan will identify crash trends on Palm Beach County’s transportation system and recommend safety enhancement projects targeting those trends. As part of the Safety Action Plan’s recommendations there will be consideration given to safety enhancements targeted to improve accessibility for pedestrians, bikers, and those using micro-mobility (electric bikes & scooters), including enhancements to bus stops and electric charge stations. It is anticipated that through the implementation of these projects, there will be a reduction in crashes, an improvement in multimodal use and a lower reliance on single vehicle trips. A reduction in greenhouse gas emissions will be achieved through these multimodal improvements. As crashes are reduced, the delays and congestion due to crashes will also reduce, thus further reducing greenhouse gas emissions. The reduction of greenhouse gas emissions is in line with and supports the Goals of the Regional Climate Action Plan 3.0 that Palm Beach County/Recipient adopted in December 2022. [Regional Climate Action Plan 3.0 \(RCAP 3.0\) \(southeastfloridaclimatecompact.org\)](https://southeastfloridaclimatecompact.org)

Recipient is committed to reduce greenhouse gas emissions and address environmental justice. To name a few actions, Recipient in 2017 conducted a disparity study, in 2018 enacted an equal business opportunity ordinance, in 2021 performed a climate change vulnerability assessment study and in 2022 a regional climate action plan 3.0 study. Recipient, in coordination with nearby Miami and Broward counties, developed a greenhouse gas inventory and greenhouse gas mitigation strategies with objective to transition toward low and zero emission energy generation and reshape the transportation sector by reducing reliance on fossil-fuel.

**ATTACHMENT D
RACIAL EQUITY AND BARRIERS TO OPPORTUNITY**

1. Efforts to Improve Racial Equity and Reduce Barriers to Opportunity.

The Recipient states that rows marked with “X” in the following table are accurate:

| | |
|---|---|
| | A racial equity impact analysis has been completed for the Project. <i>(Identify a report on that analysis or, if no report was produced, describe the analysis and its results in the supporting narrative below.)</i> |
| X | The Recipient or a project partner has adopted an equity and inclusion program/plan or has otherwise instituted equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure racial equity in the overall delivery and implementation of the Project. <i>(Identify the relevant programs, plans, or policies in the supporting narrative below.)</i> |
| | The Project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for underserved communities that are underserved by transportation. <i>(Identify the relevant investments in the supporting narrative below.)</i> |
| | The Project includes new or improved walking, biking, and rolling access for individuals with disabilities, especially access that reverses the disproportional impacts of crashes on people of color and mitigates neighborhood bifurcation. <i>(Identify the new or improved access in the supporting narrative below.)</i> |
| | The Project includes new or improved freight access to underserved communities to increase access to goods and job opportunities for those underserved communities. <i>(Identify the new or improved access in the supporting narrative below.)</i> |
| | The Recipient has taken other actions related to the Project to improve racial equity and reduce barriers to opportunity, as described in the supporting narrative below. |
| X | The Recipient has not yet taken actions related to the Project to improve racial equity and reduce barriers to opportunity but, before beginning construction of the project, will take relevant actions described in the supporting narrative below |
| | The Recipient has not taken actions related to the Project to improve racial equity and reduce barriers to opportunity and will not take those actions under this award. |

2. Supporting Narrative.

Palm Beach County’s Office of Community Revitalization’s (OCR) Mission is to facilitate and coordinate community revitalization initiatives with designated underserved residential neighborhoods in unincorporated Palm Beach County. OCR’s role is to strengthen and improve Palm Beach County neighborhoods by engaging citizens’ participation, enhancing governmental response to community needs and, providing

education and technical and financial assistance to help residents plan and implement sustainable neighborhood improvements.

Consistent with the goals of Executive Order 13985 “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government” Palm Beach County will develop a Safety Action Plan that advances equity by forming a committee comprised of a diverse group of representatives, including representatives from underserved communities in Palm Beach County and OCR. This committee will be convened regularly to provide input on the Safety Action Plan ensuring that their areas and needs are understood and reflected in the Safety Action Plan’s recommendations and project concepts for implementation.

**ATTACHMENT E
LABOR AND WORKFORCE**

1. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with “X” in the following table are accurate:

| | |
|---|--|
| X | The Recipient demonstrate, to the full extent possible consistent with the law, an effort to create good-paying jobs with the free and fair choice to join a union and incorporation of high labor standards. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i> |
| | The Recipient or a project partner has adopted the use of local and economic hiring preferences in the overall delivery and implementation of the Project. <i>(Describe the relevant provisions in the supporting narrative below.)</i> |
| | The Recipient or a project partner has adopted the use of registered apprenticeships in the overall delivery and implementation of the Project. <i>(Describe the use of registered apprenticeship in the supporting narrative below.)</i> |
| | The Recipient or a project partner will provide training and placement programs for underrepresented workers in the overall delivery and implementation of the Project. <i>(Describe the training programs in the supporting narrative below.)</i> |
| | The Recipient or a project partner will support free and fair choice to join a union in the overall delivery and implementation of the Project by investing in workforce development services offered by labor-management training partnerships or setting expectations for contractors to develop labor-management training programs. <i>(Describe the workforce development services offered by labor-management training partnerships in the supporting narrative below.)</i> |
| | The Recipient or a project partner will provide supportive services and cash assistance to address systemic barriers to employment to be able to participate and thrive in training and employment, including childcare, emergency cash assistance for items such as tools, work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, and services aimed at helping to retain underrepresented groups like mentoring, support groups, and peer networking. <i>(Describe the supportive services and/or cash assistance provided to trainees and employees in the supporting narrative below.)</i> |
| | The Recipient or a project partner has documented agreements or ordinances in place to hire from certain workforce programs that serve underrepresented groups. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i> |

| | |
|---|---|
| | <p>The Recipient or a project partner participates in a State/Regional/Local comprehensive plan to promote equal opportunity, including removing barriers to hire and preventing harassment on work sites, and that plan demonstrates action to create an inclusive environment with a commitment to equal opportunity, including:</p> <ol style="list-style-type: none"> a. affirmative efforts to remove barriers to equal employment opportunity above and beyond complying with Federal law; b. proactive partnerships with the U.S. Department of Labor’s Office of Federal Contract Compliance Programs to promote compliance with EO 11246 Equal Employment Opportunity requirements and meet the requirements as outlined in the Notice of Funding Opportunity to make good faith efforts to meet the goals of 6.9 percent of construction project hours being performed by women and goals that vary based on geography for construction work hours and for work being performed by people of color; c. no discriminatory use of criminal background screens and affirmative steps to recruit and include those with former justice involvement, in accordance with the Fair Chance Act and equal opportunity requirements; d. efforts to prevent harassment based on race, color, religion, sex, sexual orientation, gender identity, and national origin; e. training on anti-harassment and third-party reporting procedures covering employees and contractors; and f. maintaining robust anti-retaliation measures covering employees and contractors. <p><i>(Describe the equal opportunity plan in the supporting narrative below.)</i></p> |
| | <p>The Recipient has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. <i>(Describe those actions in the supporting narrative below.)</i></p> |
| | <p>The Recipient has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the project, will take relevant actions described in the supporting narrative below.</p> |
| X | <p>The Recipient has not taken actions related to the Project to improving good-paying jobs and strong labor standards and will not take those actions under this award.</p> |

2. Supporting Narrative.

Palm Beach County has an active collective bargaining agreement with the Communications Workers of America (CWA). This Labor Agreement provides an orderly and peaceful procedure for good faith labor relations, providing an orderly and prompt method for handling grievances, and setting forth the basic and full agreement between the parties concerning wages, hours and other terms and conditions of employment. The Labor Agreement applies to all full-time and part-time Palm Beach

County employees in certain permanent positions. Employees in the bargaining unit have the right to form, join and participate in the union.

The Safety Action Plan will be developed through a consultant services agreement following the County’s procurement process while meeting the requirements of this grant agreement. It is uncertain that the Safety Action Plan will have a direct significant impact on improving good-paying jobs and strong labor standards.

**ATTACHMENT F
CRITICAL INFRASTRUCTURE SECURITY AND RESILIENCE**

1. Efforts to strengthen the Security and Resilience of Critical Infrastructure against both Physical and Cyber Threats.

The Recipient states that rows marked with “X” in the following table are accurate:

| | |
|----------|--|
| X | The Recipient demonstrates, prior to the signing of this agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the activities. |
| | The Recipient appropriately considered and addressed physical and cyber security and resilience in the planning, design and oversight of the project, as determined by the Department and the Department of Homeland Security. |
| | The Recipient complies with 2 CFR 200.216 and the prohibition on certain telecommunications and video surveillance services or equipment. |
| | For projects in floodplains: The Recipient appropriately considered whether the project was upgraded consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law, in Executive Order 14030, Climate-Related Financial Risk (86 FR 27967), and Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Solicit and Considering Stakeholder Input (80 FR 6425). |

2. Supporting Narrative.

The Recipient has a strong policy regarding critical infrastructure security and resilience. Recipient’s Office of Resilience works to ensure a sustainable and thriving Palm Beach County while confronting a changing climate through adaptation, mitigation, and sustainable development. Policy CW-O-093 that became effective in April 2021 is related to resiliency and sustainability in capital construction projects. The policy provides guidance to reduce Palm Beach County’s exposure to the impacts of a changing climate by incorporating the Southeast Florida Regional Climate Change Compact’s Unified Sea Level Rise Projection, other resilience principles, and sustainable practices into the siting, design, construction, renovation, remodeling, renewal, replacement, expansion,

- 1. **Award No.**
693JJ32440062
- 2. **Effective Date**
See No. 17 Below
- 3. **Assistance Listings No.**
20.939
- 4. **Award To**
County of Palm Beach

Unique Entity Id.: XL2DNFMPCR44
TIN No.: 59-600785
- 5. **Sponsoring Office**
U.S. Department of Transportation
Federal Highway Administration
Office of Safety
1200 New Jersey Avenue, SE
HSSA-1, Mail Drop E71-117
Washington, DC 20590
- 6. **Period of Performance**
Effective date-24 months
- 7. **Total Amount**
Federal Share: \$639,200
Recipient Share: \$160,000
Other Federal Funds: \$0
Other Funds: \$0
Total: \$799,200
- 8. **Type of Agreement**
Grant
- 9. **Authority**
Section 24112 of the Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021; also referred to as the "Bipartisan Infrastructure Law" or "BIL")
- 10. **Procurement Request No.**
HSSP230279PR
- 11. **Federal Funds Obligated**
\$639,200
- 12. **Submit Payment Requests To**
See article 20.
- 13. **Payment Office**
See article 20.
- 14. **Accounting and Appropriations Data**
15X0173E50.0000.055SR10500.5592000000.25305.610066
- 15. **Description of Project**
Palm Beach County Safety Action Plan
- 16. **Signature of Person Authorized to Sign**
RECIPIENT
- 17. **Signature of Agreement Officer**
FEDERAL HIGHWAY ADMINISTRATION

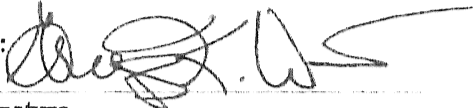
See Page 2.

| | |
|--------------------------|------|
| | |
| Signature | Date |
| Name: Amalia Rodezno | |
| Title: Agreement Officer | |

R2023 1524

OCT 17 2023

RECIPIENT:
PALM BEACH COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF
FLORIDA BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS

BY: 
Signature

Gregg Weiss

Name

Mayor

Title


OCT 17 2023

Date

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

BY: /s/Yelizaveta B. Herman
Yelizaveta B. Herman
Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

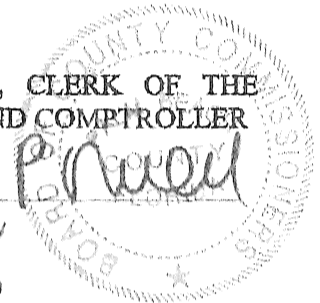
BY: 
Motasem Al-Turk, Ph.D., P.E.
Traffic Division Director

ATTEST:

JOSEPH ABRUZZO, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

BY: 
Deputy Clerk

(SEAL)



U.S. DEPARTMENT OF TRANSPORTATION

GRANT AGREEMENT UNDER THE
FISCAL YEAR 2022 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM

This agreement is between the United States Department of Transportation (the “USDOT”) Federal Highway Administration (the “FHWA”) and County of Palm Beach (the “Recipient”).

This agreement reflects the selection of the Recipient to receive a Safe Streets and Roads for All (“SS4A”) Grant for the Palm Beach County Safety Action Plan.

The parties therefore agree to the following:

ARTICLE 1
GENERAL TERMS AND CONDITIONS

1.1 General Terms and Conditions.

- (a) In this agreement, “General Terms and Conditions” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2022 Safe Streets and Roads for All (“SS4A”) Grant Program: FHWA Projects,” dated March 28, 2023, which is available at <https://www.transportation.gov/grants/ss4a/grant-agreements>. Articles 7–30 are in the General Terms and Conditions. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions. Recipient also states that it is required to comply with all applicable Federal laws and regulations including, but not limited to, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200); National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.); and Build America, Buy America Act (BIL, div. G §§ 70901-27).
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, termination of the SS4A Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the FHWA the SS4A Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

**ARTICLE 2
APPLICATION, PROJECT, AND AWARD**

2.1 Application.

Application Title: Palm Beach County Safety Action Plan

Application Date: 9/15/2022

2.2 Award Amount.

SS4A Grant Amount: \$639,200

2.3 Award Dates.

Period of Performance End Date: See Section 6 on page 1.

2.4 Budget Period

Budget Period End Date: See Section 6 on page 1.

2.5 Action Plan Grant or Implementation Grant Designation.

Designation: Action Plan

2.6 Federal Award Identification Number. The Federal Award Identification Number is listed on page 1, line 1.

**ARTICLE 3
SUMMARY PROJECT INFORMATION**

3.1 Summary of Project's Statement of Work.

The award will be used by the Recipient to develop a comprehensive safety Action Plan.

3.2 Project's Estimated Schedule.

ACTION PLAN SCHEDULE

| Milestone | Schedule Date |
|--|---------------|
| Planned Draft Action Plan Completion Date: | 02/28/2025 |
| Planned Action Plan Completion Date: | 03/28/2025 |
| Planned Action Plan Adoption Date: | 06/20/2025 |
| Planned SS4A Final Report Date: | 09/30/2025 |

3.3 Project's Estimated Costs.

(a) Eligible Project Costs

| Eligible Project Costs | |
|-------------------------------------|------------------|
| SS4A Grant Amount: | \$639,200 |
| Other Federal Funds: | \$0 |
| State Funds: | \$0 |
| Local Funds: | \$160,000 |
| In-Kind Match: | \$0 |
| Other Funds: | \$0 |
| Total Eligible Project Cost: | \$799,200 |

(b) Supplemental Estimated Budget

| Cost Element | Federal Share | Non-Federal Share | Total Budget Amount |
|------------------------|-------------------------------|-------------------------------|-------------------------------|
| Direct Labor | \$0 | -\$120,000 130,000 | -\$120,000 130,000 |
| Fringe Benefits | \$0 | \$24,000 | \$24,000 |
| Travel | \$0 | \$6,000 | \$6,000 |
| Equipment | \$0 | \$0 | \$0 |
| Supplies | \$0 | \$0 | \$0 |
| Contractual/Consultant | -\$550,000 639,200 | \$0 | -\$550,000 639,200 |
| Other | \$0 | \$0 | \$0 |
| Indirect Costs | -\$89,200 \$0 | -\$10,000 \$0 | -\$99,200 \$0 |
| Total Budget | \$639,200 | \$160,000 | \$799,200 |

ARTICLE 4

RECIPIENT INFORMATION

4.1 Recipient's Unique Entity Identifier.

XL2DNFMPCR44

4.2 Recipient Contact(s).

Fadi Emil Nassar, P.E.
 Manager, Traffic Engineering Operations
 Palm Beach County Traffic Division
 2300 North Jog Road, WPB, FL 33411
 Tel: 561-684-4022
FNASSAR@PBCGOV.ORG

4.3 Recipient Key Personnel.

| Name | Title or Position |
|------------------------|---|
| Fadi Emil Nassar, P.E. | Manager, Traffic Engineering Operations |
| Melissa Ackert, P.E. | Assistant Director, Traffic Division |

4.4 USDOT Project Contact(s).

Darren Thacker
Safe Streets and Roads for All Program Manager
Federal Highway Administration
Office of Safety
HSSA-1, Mail Stop: E71-117
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(202) 366-6409
darren.thacker@dot.gov

and

Ashley Cucchiarelli
Agreement Officer (AO)
Federal Highway Administration
Office of Acquisition and Grants Management
HCFA-33, Mail Stop E62-310
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(720) 963-3589
ashley.cucchiarelli@dot.gov

and

Ashley Cucchiarelli
Agreement Specialist (AS)
Federal Highway Administration
Office of Acquisition and Grants Management
HCFA-33, Mail Stop E62-204
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(720) 963-3589
ashley.cucchiarelli@dot.gov

and

Division Administrator
Federal Highway Administration
Florida Division Office
3500 Financial Plaza
Suite 400
Tallahassee, FL 32312
florida.fhwa@dot.gov

and

Lina Maldonado
Florida Division Office Point of Contact
District Transportation Engineer
400 W Washington St 4200 Orlando, FL 32801
407-867-6401
Lina.maldonado@dot.gov

ARTICLE 5 USDOT ADMINISTRATIVE INFORMATION

5.1 Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Office of Acquisition and Grants Management

SUBAWARDS AND CONTRACTS APPROVAL

Note: See 2 CFR § 200.331, Subrecipient and contractor determinations, for definitions of subrecipient (who is awarded a subaward) versus contractor (who is awarded a contract).

Note: Recipients with a procurement system deemed approved and accepted by the Government or by the AO are exempt from the requirements of this clause. See 2 CFR 200.317 through 200.327.

Note: This clause is only applicable to Action Plan Grants.

Unless described in the application and funded in the approved award, the Recipient must obtain prior written approval from the AO for the subaward, transfer, or contracting out of any work under this award above the Simplified Acquisition Threshold. This provision does not apply to the acquisition of supplies, material, equipment, or general support services. Approval of each subaward or contract is contingent upon the Recipient's submittal of a written fair and reasonable price determination, and approval by the AO for each proposed contractor/sub-recipient. Consent to enter into subawards or contracts will be issued through written notification from the AO or a formal amendment to the Agreement.

The following subawards and contracts are currently approved under the Agreement by the AO. This list does not include supplies, material, equipment, or general support services which are exempt from the pre-approval requirements of this clause.

(Fill in at award or by amendment)

5.2 Reimbursement Requests

- (a) The Recipient may request reimbursement of costs incurred in the performance of this agreement if those costs do not exceed the funds available under section 2.2 and are allowable under the applicable cost provisions of 2 C.F.R. Part 200, Subpart E. The Recipient shall not request reimbursement more frequently than monthly.
- (b) The Recipient shall use the DELPHI eInvoicing System to submit requests for reimbursement to the payment office. When requesting reimbursement of costs incurred or credit for cost share incurred, the Recipient shall electronically submit supporting cost detail with the SF 271 (Outlay Report and Request for Reimbursement for Construction Programs) to clearly document all costs incurred.
- (c) The Recipient's supporting cost detail shall include a detailed breakout of all costs incurred, including direct labor, indirect costs, other direct costs, travel, etc., and the Recipient shall identify the Federal share and the Recipient's share of costs. If the Recipient does not provide sufficient detail in a request for reimbursement, the AO may withhold processing that request until the Recipient provides sufficient detail.
- (d) The USDOT shall not reimburse costs unless the Agreement Officer's Representative (the "AOR") reviews and approves the costs to ensure that progress on this agreement is sufficient to substantiate payment.
- (e) The USDOT may waive the requirement that the Recipient use the DELPHI eInvoicing System. The Recipient may obtain waiver request forms on the DELPHI eInvoicing website (<http://www.dot.gov/cfo/delphi-einvoicing-system.html>) or by contacting the AO. A Recipient who seeks a waiver shall explain why they are unable to use or access the Internet to register and enter payment requests and send a waiver request to

Director of the Office of Financial Management
US Department of Transportation,
Office of Financial Management B-30, Room W93-431
1200 New Jersey Avenue SE
Washington DC 20590-0001

or

DOTElectronicInvoicing@dot.gov.

If the USDOT grants the Recipient a waiver, the Recipient shall submit SF 271s directly to:

DOT/FAA
P.O. Box 268865
Oklahoma City, OK 73125-8865
Attn: Agreement Specialist

- (f) The requirements set forth in these terms and conditions supersede previous financial invoicing requirements for Recipients.

ARTICLE 6 SPECIAL GRANT TERMS

- 6.1 SS4A funds must be expended within five years after the grant agreement is executed and DOT obligates the funds, which is the budget period end date in section 10.3 of the Terms and Conditions and section 2.4.
- 6.2 The Recipient acknowledges that the Action Plan will be made publicly available, and the Recipient agrees that it will publish the final Action Plan on a publicly available website.
- 6.3 The Recipient demonstrates compliance with civil rights obligations and nondiscrimination laws, including Titles VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, and accompanying regulations. Recipients of Federal transportation funding will also be required to comply fully with regulations and guidance for the ADA, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other civil rights requirements.
- 6.4 There are no other special grant requirements for this award.

**ATTACHMENT A
PERFORMANCE MEASUREMENT INFORMATION**

Study Area: Palm Beach County, Florida

Baseline Measurement Date: 1/1/2024

Baseline Report Date: 3/1/2024

Table 1: Performance Measure Table

| Measure | Category and Description | Measurement Frequency |
|-------------------------------------|---|------------------------------|
| Equity | Percent of Funds to Underserved Communities: Funding amount (of total project amount) benefitting underserved communities, as defined by USDOT | End of period of performance |
| Costs | Project Costs: Quantification of the cost of each eligible project carried out using the grant | End of period of performance |
| Lessons Learned and Recommendations | Lessons Learned and Recommendations: Description of lessons learned and any recommendations relating to future projects of strategies to prevent death and serious injury on roads and streets. | End of period of performance |

**ATTACHMENT B
CHANGES FROM APPLICATION**

INSTRUCTIONS FOR COMPLETING ATTACHMENT B: Describe all material differences between the scope, schedule, and budget described in the application and the scope, schedule, and budget described in Article 3. The purpose of this attachment B is to document the differences clearly and accurately in scope, schedule, and budget to establish the parties' knowledge and acceptance of those differences. See section 10.1.

Scope: N/A

Schedule: N/A

Budget: N/A

The table below provides a summary comparison of the project budget.

| Fund Source | Application | | Section 3.3 | |
|---|-------------|---|-------------|---|
| | \$ | % | \$ | % |
| Previously Incurred Costs (Non-Eligible Project Costs) | | | | |
| Federal Funds | | | | |
| Non-Federal Funds | | | | |
| Total Previously Incurred Costs | | | | |
| Future Eligible Project Costs | | | | |
| SS4AFunds | | | | |
| Other Federal Funds | | | | |
| Non-Federal Funds | | | | |
| Total Future Eligible Project Costs | | | | |
| Total Project Costs | | | | |

**ATTACHMENT C
CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS**

1. Consideration of Climate Change and Environmental Justice Impacts.

The Recipient states that rows marked with “X” in the following table are accurate:

| | |
|---|---|
| X | The Project directly supports a Local/Regional/State Climate Action Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i> |
| | The Project directly supports a Local/Regional/State Equitable Development Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i> |
| | The Project directly supports a Local/Regional/State Energy Baseline Study that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i> |
| | The Recipient or a project partner used environmental justice tools, such as the EJSCREEN, to minimize adverse impacts of the Project on environmental justice communities. <i>(Identify the tool(s) in the supporting narrative below.)</i> |
| X | The Project supports a modal shift in freight or passenger movement to reduce emissions or reduce induced travel demand. <i>(Describe that shift in the supporting narrative below.)</i> |
| | The Project utilizes demand management strategies to reduce congestion, induced travel demand, and greenhouse gas emissions. <i>(Describe those strategies in the supporting narrative below.)</i> |
| | The Project incorporates electrification infrastructure, zero-emission vehicle infrastructure, or both. <i>(Describe the incorporated infrastructure in the supporting narrative below.)</i> |
| | The Project supports the installation of electric vehicle charging stations. <i>(Describe that support in the supporting narrative below.)</i> |
| | The Project promotes energy efficiency. <i>(Describe how in the supporting narrative below.)</i> |
| | The Project serves the renewable energy supply chain. <i>(Describe how in the supporting narrative below.)</i> |
| | The Project improves disaster preparedness and resiliency <i>(Describe how in the supporting narrative below.)</i> |
| | The Project avoids adverse environmental impacts to air or water quality, wetlands, and endangered species, such as through reduction in Clean Air Act criteria pollutants and greenhouse gases, improved stormwater management, or improved habitat connectivity. <i>(Describe how in the supporting narrative below.)</i> |
| | The Project repairs existing dilapidated or idle infrastructure that is currently causing environmental harm. <i>(Describe that infrastructure in the supporting narrative below.)</i> |
| | The Project supports or incorporates the construction of energy- and location-efficient buildings. <i>(Describe how in the supporting narrative below.)</i> |

| | |
|--|--|
| | The Project includes recycling of materials, use of materials known to reduce or reverse carbon emissions, or both. <i>(Describe the materials in the supporting narrative below.)</i> |
| | The Recipient has taken other actions to consider climate change and environmental justice impacts of the Project, as described in the supporting narrative below. |
| | The Recipient has not yet taken actions to consider climate change and environmental justice impacts of the Project but, before beginning construction of the Project, will take relevant actions described in the supporting narrative below. |
| | The Recipient has not taken actions to consider climate change and environmental justice impacts of the Project and will not take those actions under this award. |

2. Supporting Narrative.

This grant is to develop a Safety Action Plan to reduce injuries and fatalities with a focus on underserved areas and equity in transportation improvements. The Safety Action Plan will identify crash trends on Palm Beach County’s transportation system and recommend safety enhancement projects targeting those trends. As part of the Safety Action Plan’s recommendations there will be consideration given to safety enhancements targeted to improve accessibility for pedestrians, bikers, and those using micro-mobility (electric bikes & scooters), including enhancements to bus stops and electric charge stations. It is anticipated that through the implementation of these projects, there will be a reduction in crashes, an improvement in multimodal use and a lower reliance on single vehicle trips. A reduction in greenhouse gas emissions will be achieved through these multimodal improvements. As crashes are reduced, the delays and congestion due to crashes will also reduce, thus further reducing greenhouse gas emissions. The reduction of greenhouse gas emissions is in line with and supports the Goals of the Regional Climate Action Plan 3.0 that Palm Beach County/Recipient adopted in December 2022. [Regional Climate Action Plan 3.0 \(RCAP 3.0\) \(southeastfloridaclimatecompact.org\)](https://southeastfloridaclimatecompact.org)

Recipient is committed to reduce greenhouse gas emissions and address environmental justice. To name a few actions, Recipient in 2017 conducted a disparity study, in 2018 enacted an equal business opportunity ordinance, in 2021 performed a climate change vulnerability assessment study and in 2022 a regional climate action plan 3.0 study. Recipient, in coordination with nearby Miami and Broward counties, developed a greenhouse gas inventory and greenhouse gas mitigation strategies with objective to transition toward low and zero emission energy generation and reshape the transportation sector by reducing reliance on fossil-fuel.

**ATTACHMENT D
RACIAL EQUITY AND BARRIERS TO OPPORTUNITY**

1. Efforts to Improve Racial Equity and Reduce Barriers to Opportunity.

The Recipient states that rows marked with “X” in the following table are accurate:

| | |
|---|---|
| | A racial equity impact analysis has been completed for the Project. <i>(Identify a report on that analysis or, if no report was produced, describe the analysis and its results in the supporting narrative below.)</i> |
| X | The Recipient or a project partner has adopted an equity and inclusion program/plan or has otherwise instituted equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure racial equity in the overall delivery and implementation of the Project. <i>(Identify the relevant programs, plans, or policies in the supporting narrative below.)</i> |
| | The Project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for underserved communities that are underserved by transportation. <i>(Identify the relevant investments in the supporting narrative below.)</i> |
| | The Project includes new or improved walking, biking, and rolling access for individuals with disabilities, especially access that reverses the disproportional impacts of crashes on people of color and mitigates neighborhood bifurcation. <i>(Identify the new or improved access in the supporting narrative below.)</i> |
| | The Project includes new or improved freight access to underserved communities to increase access to goods and job opportunities for those underserved communities. <i>(Identify the new or improved access in the supporting narrative below.)</i> |
| | The Recipient has taken other actions related to the Project to improve racial equity and reduce barriers to opportunity, as described in the supporting narrative below. |
| X | The Recipient has not yet taken actions related to the Project to improve racial equity and reduce barriers to opportunity but, before beginning construction of the project, will take relevant actions described in the supporting narrative below |
| | The Recipient has not taken actions related to the Project to improve racial equity and reduce barriers to opportunity and will not take those actions under this award. |

2. Supporting Narrative.

Palm Beach County’s Office of Community Revitalization’s (OCR) Mission is to facilitate and coordinate community revitalization initiatives with designated underserved residential neighborhoods in unincorporated Palm Beach County. OCR’s role is to strengthen and improve Palm Beach County neighborhoods by engaging citizens’ participation, enhancing governmental response to community needs and, providing

education and technical and financial assistance to help residents plan and implement sustainable neighborhood improvements.

Consistent with the goals of Executive Order 13985 “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government” Palm Beach County will develop a Safety Action Plan that advances equity by forming a committee comprised of a diverse group of representatives, including representatives from underserved communities in Palm Beach County and OCR. This committee will be convened regularly to provide input on the Safety Action Plan ensuring that their areas and needs are understood and reflected in the Safety Action Plan’s recommendations and project concepts for implementation.

**ATTACHMENT E
LABOR AND WORKFORCE**

1. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with "X" in the following table are accurate:

| | |
|---|--|
| X | The Recipient demonstrate, to the full extent possible consistent with the law, an effort to create good-paying jobs with the free and fair choice to join a union and incorporation of high labor standards. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i> |
| | The Recipient or a project partner has adopted the use of local and economic hiring preferences in the overall delivery and implementation of the Project. <i>(Describe the relevant provisions in the supporting narrative below.)</i> |
| | The Recipient or a project partner has adopted the use of registered apprenticeships in the overall delivery and implementation of the Project. <i>(Describe the use of registered apprenticeship in the supporting narrative below.)</i> |
| | The Recipient or a project partner will provide training and placement programs for underrepresented workers in the overall delivery and implementation of the Project. <i>(Describe the training programs in the supporting narrative below.)</i> |
| | The Recipient or a project partner will support free and fair choice to join a union in the overall delivery and implementation of the Project by investing in workforce development services offered by labor-management training partnerships or setting expectations for contractors to develop labor-management training programs. <i>(Describe the workforce development services offered by labor-management training partnerships in the supporting narrative below.)</i> |
| | The Recipient or a project partner will provide supportive services and cash assistance to address systemic barriers to employment to be able to participate and thrive in training and employment, including childcare, emergency cash assistance for items such as tools, work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, and services aimed at helping to retain underrepresented groups like mentoring, support groups, and peer networking. <i>(Describe the supportive services and/or cash assistance provided to trainees and employees in the supporting narrative below.)</i> |
| | The Recipient or a project partner has documented agreements or ordinances in place to hire from certain workforce programs that serve underrepresented groups. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i> |

| | |
|---|---|
| | <p>The Recipient or a project partner participates in a State/Regional/Local comprehensive plan to promote equal opportunity, including removing barriers to hire and preventing harassment on work sites, and that plan demonstrates action to create an inclusive environment with a commitment to equal opportunity, including:</p> <ul style="list-style-type: none"> a. affirmative efforts to remove barriers to equal employment opportunity above and beyond complying with Federal law; b. proactive partnerships with the U.S. Department of Labor's Office of Federal Contract Compliance Programs to promote compliance with EO 11246 Equal Employment Opportunity requirements and meet the requirements as outlined in the Notice of Funding Opportunity to make good faith efforts to meet the goals of 6.9 percent of construction project hours being performed by women and goals that vary based on geography for construction work hours and for work being performed by people of color; c. no discriminatory use of criminal background screens and affirmative steps to recruit and include those with former justice involvement, in accordance with the Fair Chance Act and equal opportunity requirements; d. efforts to prevent harassment based on race, color, religion, sex, sexual orientation, gender identity, and national origin; e. training on anti-harassment and third-party reporting procedures covering employees and contractors; and f. maintaining robust anti-retaliation measures covering employees and contractors. <p><i>(Describe the equal opportunity plan in the supporting narrative below.)</i></p> |
| | <p>The Recipient has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. <i>(Describe those actions in the supporting narrative below.)</i></p> |
| | <p>The Recipient has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the project, will take relevant actions described in the supporting narrative below.</p> |
| X | <p>The Recipient has not taken actions related to the Project to improving good-paying jobs and strong labor standards and will not take those actions under this award.</p> |

2. Supporting Narrative.

Palm Beach County has an active collective bargaining agreement with the Communications Workers of America (CWA). This Labor Agreement provides an orderly and peaceful procedure for good faith labor relations, providing an orderly and prompt method for handling grievances, and setting forth the basic and full agreement between the parties concerning wages, hours and other terms and conditions of employment. The Labor Agreement applies to all full-time and part-time Palm Beach

County employees in certain permanent positions. Employees in the bargaining unit have the right to form, join and participate in the union.

The Safety Action Plan will be developed through a consultant services agreement following the County’s procurement process while meeting the requirements of this grant agreement. It is uncertain that the Safety Action Plan will have a direct significant impact on improving good-paying jobs and strong labor standards.

**ATTACHMENT F
CRITICAL INFRASTRUCTURE SECURITY AND RESILIENCE**

1. Efforts to strengthen the Security and Resilience of Critical Infrastructure against both Physical and Cyber Threats.

The Recipient states that rows marked with “X” in the following table are accurate:

| | |
|---|--|
| X | The Recipient demonstrates, prior to the signing of this agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the activities. |
| | The Recipient appropriately considered and addressed physical and cyber security and resilience in the planning, design and oversight of the project, as determined by the Department and the Department of Homeland Security. |
| | The Recipient complies with 2 CFR 200.216 and the prohibition on certain telecommunications and video surveillance services or equipment. |
| | For projects in floodplains: The Recipient appropriately considered whether the project was upgraded consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law, in Executive Order 14030, Climate-Related Financial Risk (86 FR 27967), and Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Solicit and Considering Stakeholder Input (80 FR 6425). |

2. Supporting Narrative.

The Recipient has a strong policy regarding critical infrastructure security and resilience. Recipient’s Office of Resilience works to ensure a sustainable and thriving Palm Beach County while confronting a changing climate through adaptation, mitigation, and sustainable development. Policy CW-O-093 that became effective in April 2021 is related to resiliency and sustainability in capital construction projects. The policy provides guidance to reduce Palm Beach County’s exposure to the impacts of a changing climate by incorporating the Southeast Florida Regional Climate Change Compact’s Unified Sea Level Rise Projection, other resilience principles, and sustainable practices into the siting, design, construction, renovation, remodeling, renewal, replacement, expansion,

repurposing, demolition, and deconstruction of all applicable capital construction projects by Recipient.

The Recipient's employees access and utilizes a central software system to operate and monitor the traffic signal system and traffic using Palm Beach County roads. The traffic signal system software server was designed to be secure from cyber threats and is on a separate server system only accessible by the small group of Palm Beach County employees responsible for traffic signal operations. The Recipient has also implemented a strong and proactive multilayer cyber security system with frequent training to employees and simulated "phishing" tests with fake emails to maintain awareness of various types of cyber threats.

RESOLUTION NO. R 2024-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, APPROVING THE 2022 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION FOR FUNDING THE DEVELOPMENT OF THE PALM BEACH COUNTY SAFETY ACTION PLAN AND COMMITTING TO FUND THE LOCAL SHARE OF PROJECT DELIVERY.

WHEREAS, on November 15th, 2021 the United States Congress passed the Infrastructure Investment and Jobs Act, also referred to as the Bipartisan Infrastructure Law; and

WHEREAS, the Bipartisan Infrastructure Law established the Safe Streets and Roads for All (SS4A) Discretionary Grant Program and appropriated funds to the United States Department of Transportation (USDOT) Federal Highway Administration (FHWA) to implement the program; and

WHEREAS, SS4A provides Federal financial assistance to support local initiatives to prevent death and serious injury on roads and streets; and

WHEREAS, on September 15th, 2022 Palm Beach County (COUNTY) submitted an application to receive funding from SS4A to develop the Palm Beach County Safety Action Plan (PLAN); and

WHEREAS, the PLAN will identify projects in the COUNTY that enhance the safety of the transportation network and would be eligible for additional SS4A funds in the future for the PLAN's implementation; and

WHEREAS, the COUNTY's estimate to develop and complete the PLAN is \$799,200; and

WHEREAS, the USDOT FHWA requests that the COUNTY enter into the 2022 Safe Streets and Roads for All Grant Program agreement (GRANT AGREEMENT), outlining the responsibilities of the USDOT FHWA and the COUNTY with respect to the PLAN; and

WHEREAS, pursuant to the GRANT AGREEMENT, the COUNTY agrees to finance the non-Federal share, estimated at \$160,000, and complete the PLAN in accordance with all applicable Federal laws, regulations and policies; and

WHEREAS, pursuant to the GRANT AGREEMENT, the USDOT FHWA will reimburse the COUNTY \$639,200 for the completion of the PLAN; and

WHEREAS, the Board of County Commissioners (BCC) has determined the execution of the GRANT AGREEMENT is in the best interest of the citizens and residents of the COUNTY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The Mayor is hereby authorized to execute the GRANT AGREEMENT.
2. The foregoing recitations are true, accurate and correct and are incorporated herein.
3. This Resolution shall take effect upon its adoption.

The foregoing Resolution was offered by Commissioner _____ who moved for its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

| | |
|--|---|
| Commissioner Maria Sachs, Mayor | - |
| Commissioner Maria G. Marino, Vice Mayor | - |
| Commissioner Gregg K. Weiss | - |
| Commissioner Michael A. Barnett | - |
| Commissioner Marci Woodward | - |
| Commissioner Sara Baxter | - |
| Commissioner Mack Bernard | - |

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2024.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: YBH
Yelizaveta B. Herman
Assistant County Attorney

PALM BEACH COUNTY, FLORIDA
BY AND THROUGH ITS BOARD OF
COUNTY COMMISSIONERS

JOSEPH ABRUZZO, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

APPROVED AS TO TERMS
AND CONDITIONS

BY: Motasem Al-Turk
Motasem Al-Turk, Ph.D., P.E.
Traffic Division Director

BY: _____
Deputy Clerk